THE ASIA PACIFIC JOURNAL OF PUBLIC ADMINISTRATION VOL. 29, NO. 1 (JUNE 2007): 77-99

The First Ten Years of the HKSAR: Civil Society Comes of Age

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Civil society in Hong Kong has gone through an important period of maturity in the ten years since the handover, with 2003 being a watershed. Around 2003, civil society assumed a separate identity, and from that point on it has been active in various aspects on the policy-making scene. This article discusses how civil society has articulated itself: its identity, roles, agenda and agency. Civil society's self-articulation of its identity and roles reveals three discourses: civil society as a defender of its own autonomy, civil society as the third sector, and civil society as a partner in governance. While the first and third discourses are popular among civil society actors, the second discourse is used more by the government. There is also a shift in the emphasis: from the self-defense discourse surrounding opposition of the public security bill to the governance partnership discourse relating to an expanded agenda of civil society on environmental, history, culture and heritage issues. The expanded agenda signals a greater diversification of values. In addition to the monolithic capitalist value system, there are now some post-materialist values that stress a sense of belonging, self-expression and quality of life. Civil society's sense of agency has grown over the years, and it is now acting with increasing confidence in advocacy.

Introduction

In the first decade of the HKSAR, Hong Kong experienced one crisis after another. There was the Asian financial crisis in 1999 and the collapse of the property market thereafter, the epidemic crises such as the bird flu in 1998 and SARS in 2003, and a series of political turbulences triggered by the national security bill and the 1 July mass demonstration in 2003. In two major spheres of Hong Kong society, the economy and politics, Hong Kong suffered tremendous setbacks. In the economic sphere, the unemployment rate rose to an unprecedented level and the income and wealth of Hong Kong people shrank dramatically. In the political sphere, the SAR government faced serious problems and challenges of governance in the new political order, which ultimately led to the resignation of the first chief executive, Tung Chee-hwa, during his second term of office. By contrast, what the third sphere of Hong Kong society — its civil society — has gone through is very different. Civil society can be understood as "the arena, outside of the family, the government, and the market, where people associate to advance common interests" (CIVICUS Civil Society Index Team 2006: 9). When the government and market of a society perform poorly,

people will start to take things back into their own hands by acting together and forming civic groups to solve common problems and advance common interests. This, indeed, is how the story of civil society in Hong Kong has unfolded since 1997.

The year 2003 was an important year for civil society in Hong Kong. In the spring, Hong Kong survived the SARS epidemic, one of the most terrifying periods in the recent history of Hong Kong, which resulted in 299 deaths and many more infected. During the SARS attack, the government was widely criticized as slow and incompetent in its handling of the crisis. But the civil society responded with a tremendous outpouring of energy. People helped each other and boosted each other's morale. The media also played a significant role in fighting the epidemic. One of the most influential programmes was the phone-in programme "Storm in a Teacup", hosted by the Commercial Radio of Hong Kong. It effectively served as a coordination center for civil society. When problems arose, people would inform the radio programme, and suggestions would quickly be forthcoming. The programme also served as a forum where government blunders were exposed and interdepartmental failures of coordination uncovered. Groups of people uploaded onto the internet the most up-to-date and accurate information regarding the epidemic, and there were numerous groups, big and small, which had volunteered in the fight against SARS. A positive, though unintended, consequence of this crisis was that people began to appreciate the power of civil society. The SARS experience powerfully showed that civil society has the ability and capacity to solve social problems.

Later in the same year, on 1 July, an estimated half-a-million residents of Hong Kong took to the streets to protest the proposed national security bill and express strong general dissatisfaction with the government. In the wake of the rally, which eventually halted the legislation of the proposed bill, civil society began to recognise its strength and potential in the policy-making process. It had also come to realise that citizens might become victims if they left policy-making solely to government officials. It squarely confronted the fact that even the elected legislature, unless it had firm backing from the civil society, has very limited ability to stop the administrative arm of government from pushing through bills. A series of policy blunders and public scandals prompted civil society actors to demand a bigger say in policy-making. If the civil society emerged from SARS stronger and more energised, it came out of the 1 July protests feeling empowered and confident.

In this article, we argue that civil society in Hong Kong has gone through an important period of maturity in the ten years since the handover, and that 2003 was a watershed. Although the number of public advocacy activities after 2003 did not jump substantially, it was evident from that year that civil society had developed a clearer identity and self-articulation, and had greater self-confidence in carrying out its role and impacting society.

From 2003 on, the civil society has been increasingly active in various aspects of the policy-making scene and has expanded its advocacy agenda. We examine the coming of age of Hong Kong's civil society in four different, but related aspects: its identity, roles, agenda and agency.[1] The following questions are addressed: Does civil society in Hong Kong recognise its relative autonomy in society as an independent sphere (identity)? What contributions (roles) can it make and in which areas (agenda)? How much confidence and commitment does it have for achieving its goals (agency)? These questions are seldom explored, but they are crucial indicators of the maturity level of a civil society. To answer them, we rely on our interpretation of how the civil society has articulated itself in various newspaper articles written by civil society actors and in reports relating to civil society activities.

Identity and Roles

Hong Kong civil society has experienced an impressive period of growth in the ten years since the handover. The reported numbers of protests increased from under 100 incidents before the millennium to 210 in 2004, and they stayed at around 200 cases until 2006. The goals of these protests have varied. Issues relating to professional or sector interests topped six of the nine years from 1998 to 2006; constitutional affairs, labour and housing were also popular areas of contention. Environmental or planning issues were also among the most popular demonstration subjects, especially from 2003 onwards.[2]

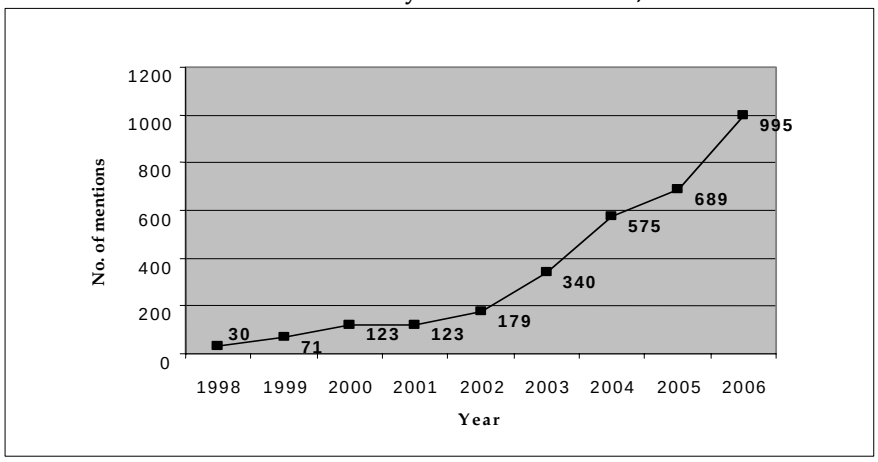
Demonstration figures reveal only a partial picture of the way civil society has grown. Another important aspect is its self-perception — to what extent have participants in these activities perceived themselves as actors belonging to civil society? What roles did they assign themselves and the civil society at large? The first question can be answered by tracing the emergence of the term "civil society" in local discourse. The term was foreign to the discourse of Hong Kong society as recently as ten years ago. A search of newspapers shows that the term appeared only 30 times in 1998 (see Figure 1).[3] Use of the term increased gradually until 2003, which saw the frequency (340) almost double from the previous year. In 2006, the term "civil society" appeared 995 times in newspapers. It could be said that from an almost unheard of term a decade ago, "civil society" is now an everyday expression in the public discourse. While it is true that how frequently a term is mentioned may not bear a relationship to what that term is taken to mean, frequency does serve to indicate that the concept of "civil society" has now assumed an identity, and it is relatively independent of the political and economic spheres and institutions.

An examination of the meanings associated with the use of the term "civil society" in newspaper articles reveals different perceptions of the role

Table 1
Percentage Distribution of Demonstrations, Rallies and Petitions in the HKSAR, 1998-2006

	1998	1999	2000	2001	2002	2003	2004	2005	2006
Civil liberties/ human rights	0.0	2.8	20.9	9.3	10.6	3.9	4.3	5.1	4.6
Constitutional affairs	2.1	22.2	12.2	7.6	32.8	12.6	12.4	12.7	5.6
Crime/social order	2.1	5.6	4.7	4.1	2.1	3.4	2.4	4.6	7.6
Economy	12.8	2.8	7.4	5.8	6.3	5.3	3.8	0.5	4.6
Education	0.0	0.0	1.4	0.6	0.5	5.8	2.4	1.5	2.5
Environment/ planning	10.6	2.8	11.5	8.7	8.5	12.6	17.1	10.2	12.7
Health	0.0	1.4	2.0	2.3	3.7	3.4	1.4	3.6	6.6
HK/China relations	0.0	4.2	0.0	3.5	0.0	0.0	0.0	3.0	0.5
Housing	19.1	12.5	3.4	11.6	6.3	15.0	8.6	7.1	12.2
Labour	10.6	13.9	11.5	9.9	2.6	7.7	13.3	14.2	10.2
Professional/ sector interests	31.9	16.7	16.9	22.1	14.3	19.3	19.0	16.8	21.3
Public amenities	0.0	1.4	0.0	0.6	0.0	0.0	0.0	0.5	3.0
Transport	0.0	5.6	4.7	4.7	7.9	3.9	6.7	5.6	4.6
Welfare	2.1	5.6	0.7	2.3	2.6	5.8	8.6	13.2	3.0
Others	8.5	2.8	2.7	7.0	1.6	1.4	0.0	1.5	1.0
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Number	47	72	148	172	189	207	210	197	197

Figure 1
Mentions of "Civil Society" in the Mass Media, 1998-2006



of civil society. It has been argued that after the handover the HKSAR government at times openly, but mostly discreetly, tried to encroach upon civil society, and civil society had to consciously find ways to ward off these intrusions to protect its relative autonomy (Ma 2007). The role of civil society as acting in self defense against encroachment by the state has been a prevailing theme in the liberal discourse of Eastern Europe in the 1980s (Seligman 1992; Ehrenberg 1999) and it can be aptly applied to the situation of Hong Kong, especially around 2003 when the proposed national security bill (article 23 of the Basic Law) was fervently debated. Along with the self-defense theme, two other understandings of civil society are detected in the public discourse in Hong Kong. The second theme, albeit a minor one, sees the civil society of Hong Kong as "the third sector" or "the voluntary, nonprofit sector". This theme bears resemblance to the discourse of civil society in Western Europe, which sees civil society as the third sector taking up some of the functions of the welfare state. It also bears a resemblance to the social capital discourse prevalent in the United States, which emphasizes the importance of citizens solving problems on their own at the community level.[4] The third theme detected is about the growing role of civil society in the governance of Hong Kong; and this theme is related to the recent global development of new concepts and forms of governance in international and national institutions. One core element of this global discourse on governance is that civil society is now expected to play a major role in the governance of such institutions and their processes.

Discourse 1: Civil Society as a Defender of its Autonomy

The self-defense discourse holds that civil society can and must stand up against intrusions into the civil rights and freedoms enjoyed by the citizens

of Hong Kong. This is perhaps the most common function attributed to civil society, and this was especially so during the consultation period for the proposed national security bill in 2002 and 2003. Civil society at the time feared that it would be stifled by what some believed to be a draconian security bill. This concern was expressed by a coalition of thirty-one civil society organisations, which found the bill to be unacceptable. Their statement said that "legislation under Article 23 would create a 'white terror'. Its chilling effect will damage the healthy development of civil society and divergence in opinions . . ." (*South China Monrning Post*, 20 September 2002). The Hong Kong Federation of Students was even more pessimistic; it believed that enactment of Article 23 would mean that "civil society has no future" (*Apple Daily*, 29 November 2002). The encroachment theme was again evident in a newspaper editorial. Warning against the impending danger if the proposed bill were passed by the Legislative Council, the editorial declared: "Safeguarding the rights to demonstration, assembly and protest is an important foundation of Hong Kong's democratic development and building of civil society. So long as the 'national security bill' is not amended, we will fight to the end!" (*Ming Pao*, 23 September 2002). The recurring theme was that civil society needed to make plans and propose actions that would fortify it against this clear attack. Protests against the proposed bill were regarded as self-defense by the civil society. In reporting one of the earliest protests against Article 23, the view was that "[b]eneath its veneer of indifference, the SAR has an active civil society which dares to challenge the authorities" (*South China Morning Post*, 16 December 2002). Similarly, in a meeting organised by the Civil Human Rights Front to discuss action plans to oppose enactment of Article 23, Sezto Wah suggested strategies for the "expansion of civil society, strengthening of citizen power, and preparation to engage in civil disobedience" (*Hong Kong Economic Journal*, 9 June 2003).

The self-defense discourse of civil society is familiar; it is not uncommon for people in Hong Kong to take action to condemn breaches of civil rights and liberties. Actions against enactment of the proposed national security bill served to reaffirm society's commitment to protect these rights and freedom. What draws attention, however, is that endangering rights and freedom is now cast as an encroachment upon civil society. As shown in the quotations above, passage of the proposed national security bill would jeopardize civil society, and actions to defend civil society have to be initiated. Civil society had by now clearly taken on a distinct identity. It was not just civil rights and freedom that society defended in 2002 and 2003; the people were standing up and being counted in favour of civil society.

Discourse 2: Civil Society as the Third Sector and as Social Capital

A second perception of civil society's function in Hong Kong reveals an

association of civil society with non-profit, voluntary associations,[5] as well as with the notion of social capital. This discourse puts special weight on the civil society's ability to solve its own problems and thus has implications for its ability to ease the government's share in welfare provision and societal assistance. In view of the seriousness of the economic setback that Hong Kong experienced in the first five years following the handover, it is not surprising that this aspect appeared to be the prevailing understanding that the HKSAR government had of civil society. Former chief executive Tung Chee-hwa alluded to the role of the third sector in his policy address in 2000. To him, the third sector was made up of community and voluntary organisations and was helpful in finding solutions to problems otherwise "intractable" to both the government and the market (Tung 2000: para 98). His idea was to encourage society to take a greater part in voluntary services. Consistent with his emphasis on fostering a modernised, efficient economy and a small government, the third sector appeared to be just the way to increase social services without seriously increasing public spending.

Tung's remark on the third sector resulted in some, but not much, newspaper discussion. The discourse was akin to that of the government. The newspapers regarded the third sector as a probable platform that would permit the government to change its role from the main provider of welfare to co-provider through promotion of close cooperation with the market and civil society (*Hong Kong Economic Times*, 8 November 2000). There was also talk about establishing a civil society foundation, which was to be modeled after the Community Foundation in the United States. Again, it was an endeavour to involve the commercial sector in sponsoring the work of civil society, including service provision and the alleviation of poverty (*Apple Daily*, 13 February 2005).

The association of civil society with the third sector was clearly enunciated by the former director of the Chief Executive's Office, Lam Woon-kwong. To him, the essence of the ideas of "the third sector" as proposed in the 1970s and "civil society" which has become popular nowadays were similar. Both were about the kind of self-help and mutual help that people in a community would engage in (Ho 2006). If civil society was understood as the third sector, such as NGOs providing services, the idea of a civil society was certainly not new to Hong Kong. He cited the Tung Wah Hospitals and Po Leung Kuk as examples.

The link between civil society and the concept of social capital (Putnam 2000) is analogous to that of the third sector in its emphasis on the power which civil society has to solve problems. Theories of social capital propose that when people join organisations, socialise with friends, take part in volunteering, and are willing to donate to charitable organisations, many social problems can be mitigated. This was exemplified by the government's setting up of the Community Investment and Inclusion Fund in 2001. The fund aims to provide seed money for collaborative cross-sectoral efforts to

strengthen community and social networks so as to "broaden the support base available to assist them to resolve their problems and address common concerns" (*www.hwfb.gov.hk/ciif/en/objectives/index_e.html*). Along the same line, the secretary of Home Affairs, Patrick Ho, saw civil society as a place where people participate actively in civil organisations, thereby creating and accumulating a kind of capital to solve their own problems. Ho believed that, in a modern civil society, when individuals are allowed to do what they are good at under a commonly accepted social order, social harmony will be achieved despite different interests (*Ta Kung Pao*, 11 February 2003). He believed that a civil society required citizens to manage themselves. It was simply following the Taoist teaching of non-interventionism (*wuwei er zhi*), giving space to citizens to do what they were best at. In his view, a mature civil society can solve many problems on its own through charitable organisations and donations, and these good deeds would at the end result in social harmony (*Ta Kung Pao*, 11 February 2003 & 30 April 2007).

Discourse 3: Civil Society as a Partner in Governance

The third discourse focuses on civil society as a partner in government policy-making, and this role is one of the most recent developments. International regimes such as the United Nations and World Bank, whose major subjects were "nations" or governments, have acknowledged the significant role of civil society in governance. Former UN Secretary-General Kofi Annan has said: "The United Nations once dealt only with Governments. By now we know that peace and prosperity cannot be achieved without partnerships involving Governments, international organizations, the business community and civil society. In today's world, we depend on each other" (UN 2004: 34).

This discourse appears to have gained popularity after 2003 and is highly regarded by groups concerned with sustainable development in Hong Kong. These groups and organisations have seen the relevance of public participation in governance because the idea had, in fact, been laid down long ago in the Rio Declaration on Environment and Development, a product of the first Earth Summit held in Rio de Janeiro in 1992. Among 27 important principles enunciated at that time, Principle 10 states: "Environmental issues are best handled with participation by all concerned citizens . . . At the national level, each individual shall have . . . the opportunity to participate in decision-making processes".[6] At the second Earth Summit, held in 2002, the Hong Kong delegation consisted of members of civil society organisations. The summit served to reinforce the belief that civil society should demand greater and more meaningful participation in the policy process.[7]

Since 2003, issues relating to the environment and city planning seem to have crowded the front pages of Hong Kong's newspapers.

Environmental and city planning issues are by no means new to the public agenda. To cite just a few examples, there were plenty of discussions and actions taken previously with regard to the Daya Bay nuclear power plant, the building of incinerators, and the selection of a waste landfill site. What seem noteworthy in recent cases relating to the environment and city planning are the demands made by the civil society, the messages expressed by this sector, the manner in which the messages are articulated, and the impacts brought about by civil society actions. Moreover, the relatively short span of time it has taken to turn these environmental and planning proposals into widely discussed societal issues testifies to the ability of civil society to set the public agenda and mobilise for action. Beginning in 2003, when a civil society organisation, the Society for the Protection of the Harbour, pursued legal action against the government for reclaiming land in Wanchai North, a series of environmental and planning issues have followed suit. The most well-known cases include the protection of Victoria Harbour, opposition to the construction of the West Kowloon Cultural District, the effort to reverse the decision to knock down new residential buildings in Hunghom Peninsula, the controversies arising from the conflict between urban redevelopment and cultural preservation with regard to Lei Tung Street, Kam Tong Hall and F Hall of Victoria Prison, and the opposition to the demolition of the Star Ferry Pier and the Queen's Pier in Central.

These cases show that civil society in Hong Kong is no longer content to have important decisions made for it; nor is it satisfied with the role of keeping the government in check. It demands participation in policy-making. In other words, it wants to transform its role from watchdog to partner in governing Hong Kong. In talking about how to find a commonly acceptable way to protect the Victoria Harbour, "the community's most-treasured asset", Chan Wai-kwan wrote that "there is no reason why civil society cannot take part, or even take the lead, towards consensus-building" (*South China Morning Post*, 3 October 2003).[8] Another civil society actor, Albert K T Lai, urged the government to adopt a new governing model. He advised the government to set up a harbour conservation bureau that would use round-table discussions to let the business sector and civil society representatives have a say relatively equal to that of the government in its decision-making.[9] During civil society's opposition to the building of the West Kowloon Cultural District, there were also calls for the government to form a "true partnership with civil society, to abandon the bureaucrat-official mentality, and to institutionalise public participation in policy-making" (Leong 2004).

Agenda and Agency

The discussion above demonstrates a broadening of the civil society agenda. The situations the citizenry have faced have forced them to search the past

to determine how they got to the present. The situations have challenged citizens to envision a future Hong Kong in order to make responsible decisions today. Before protection of the Victoria Harbour became a societal issue in 2003, it was usually topics relating to constitutional affairs or human rights that prompted public mobilisation. The agenda has widened since then. Opposition to the construction of the West Kowloon Cultural District led to discussion of the need to have a long-term cultural policy, which was, astonishingly, nonexistent (*Wen Wei Po*, 12 November 2004). Redevelopment of Lei Tung Street in Wanchai raised questions about uprooting communities in the course of urban development. Challenging a real estate developer's decision to tear down brand new buildings in Hunghom Peninsula for greater profits showed that the civil society supported sustainable development over profit-making. Relocation and demolition of the Star Ferry Pier and the Queen's Pier in Central stimulated retrieval of collective memories and generated discussion of history and identity. Efforts to preserve the Kam Tong Hall and to save F Hall of Victoria Prison from destruction set off talk about culture and heritage. These topics might have been of concern to a small circle of knowledgeable and interested individuals who cared about the history and culture of Hong Kong, but they were rather new to the general public. Public discussion of the issues cultivated and accelerated the formation of the Hong Kong identity. As Christine Loh (2006) observed:

> The Star Ferry issue clearly struck a chord with many people, including youth, because it has to do with how they perceive Hong Kong's identity. People have clearly come to a new point in our city's history: culture and heritage matter a whole lot more than they ever did before.[10]

These cases also have implications for a possible change in societal values. Capitalism has always been a core value of Hong Kong, so much so that Article 5 of the Basic Law states that the capitalist system shall remain unchanged for 50 years, until 2047. The cases surrounding the environment and city planning, however, strongly suggest that profit-making may not be as dominant a value as it used to be. The Hunghom Peninsula case clearly illustrates that lawful money-making is not beyond the purview of moral standards. The two real estate consortia had the legal right to demolish the new buildings, and the fact that their plan provoked such an enormous outcry from civil society is telling. Green groups worked together to take the lead in the campaign against demolition; they were quickly joined by a primary school in the neighbourhood, as well as by a number of civil society organisations, the Commercial Radio and the Professional Teachers Union. These groups admonished the two consortia for squandering resources and operating against the principle of sustainability, thereby setting a horrific

example for the young. Against dominant capitalist values of property rights, spirit of contract, and free market, another set of values was articulated — the values of corporate social responsibility, social justice, sustainability, and the setting of a morally right example for future generations.[11] In the end, the two consortia gave up the demolition plan. It may be too soon to jump to the conclusion that capitalistic values have given way to another set of values, but it is safe to say that capitalistic values are no longer the only values that matter.

A concern for the environment, history, culture and heritage appears to be gaining ground. Civil society has been vociferous, active and committed to protecting and preserving buildings and structures that it recognises as important parts of Hong Kong's newly forming identity (Lai 2007). In this regard, we seem to be witnessing the emergence of what Inglehart (1981) calls "post-materialist values", which emphasise belonging, self-expression, and the quality of life. Along with the principle of economic efficiency, it appears that Hong Kong's civil society believes that post-materialist values should be considered in public policy-making as well as in large-scale commercial projects undertaken by business companies.

In addition, civil society actors are exhibiting a level of confidence and commitment seldom seen before, and hence a strong sense of agency. In the Victoria Harbour case, a civil society organisation took the government to court. In the Hunghom Peninsular case, civil society used moral principles to take on two real estate consortia that had a wealth of resources and whose plan was within the boundary of law. In the Star Ferry case, civil society asked the government to reverse a decision that it had taken without considering changing societal values. These are cases in which civil society took action to forge what it believed to be right despite the fact that success at first appeared to be beyond its reach. The action and articulation of civil society actors in these cases carried a sense of confidence and bespoke of an admirable level of commitment.

This confidence and commitment has been revealed in their actions. When the government leaves civil society out in policy-making, civil society actors carry out what they believe to be the right procedure. They engage stakeholders and the wider community. In contrast to the conventional, highly exclusive, process of public consultation adopted by the government, civil society actors want to make sure that nobody is denied the opportunity to express their views. Their efforts have resulted in several positive outcomes and appear to have raised public expectations about government consultation.

In the case of protecting Victoria Harbour, a rather novel form of engaging the community, besides the traditional mass movement, was pursued by the Citizen Envisioning @ Harbour (CE@H). CE@H is an alliance of over 10 civil society organisations, including professional organisations, environmental and district planning organisations, and universities. It

advocates a participatory approach to policy-making. Exhibitions, roundtables and hearings were organised to gather society's visions for the future Victoria Harbour. Through their actions, CE@H opened up a forum for citizens to participate in designing Victoria Harbour.[12] By drawing citizens into the process of city planning, this group helped to foster a sense of public ownership and may have raised expectations about public participation in city planning. A few members of the CE@H were later invited to join the Harbour-front Enhancement Committee (HEC), which is an advisory committee that the government has appointed to make recommendations on land use along Victoria Harbour. More importantly, HEC has adopted an approach to public engagement similar to that of CE@H and therefore has made it possible for a larger number of individuals to convey their views to the government.[13]

The public engagement method adopted by CE@H has been copied in other cases, including the West Kowloon Cultural District (WKCD). The situation here involved the government's decision to develop a huge piece of land in the city without first conducting large-scale public consultation. In his 1998 policy address, Chief Executive Tung Chee-hwa announced the idea of building a new state-of-the-art performance venue in the West Kowloon reclamation area. In September 2003, when the plan to award the development of the 40-hectare WKCD project to a single consortium was made known, civil society organisations began to voice their worries and disagreements. Strong opposition became intense when the names of the three short-listed consortia were announced in November 2004. To coordinate individual efforts, the People's Panel on West Kowloon (PPWK) was formed later in the same month (*www.ppwk.org*). Core members are professionals, members of arts and performance groups, think tanks, and district councils. In stark contrast to the government's method of arriving at the WKCD plan behind closed doors, the PPWK emphasises public engagement. It organised public forums and tours, and asked the opinions of participants regarding cultural facilities, cultural policies, and the governance of the WKCD. Eventually the government decided to scrap its original WKCD plan and start the design anew in February 2006.

Protection of Victoria Harbour and the actions against the West Kowloon Cultural Development plan are just two among several movements involving the environment and city planning that have aroused significant public attention since 2003. These movements reflect the changing role of Hong Kong's civil society. From being a watchdog of the government, civil society actors now demand to take part in the policy-making process in a meaningful way. In decisions that have far-reaching consequences, civil society feels that participation in the policy-process should not be confined to those appointed by the government to various advisory committees. It should be open to the society at large, and citizens who care to express their opinions should have a legitimate channel through which their opinions

can be heard and considered. In addition, how the government regards the development process seems to need some realignment with the civil society's post-materialist values. Civil society is also acting with confidence and commitment. Its changing terrain is captured in a snapshot of its work to protect the Star Ferry Pier.

A Snapshot of the Changing Terrain of Hong Kong's Civil Society: Protection of the Star Ferry Pier

One of the latest shows of force by Hong Kong's civil society has been the protests it staged in the attempt to block demolition of the Star Ferry Pier. In late 1999, the government decided that the Star Ferry Pier had to give way to a new road network in the Central reclamation area. The location and design of a new pier went through the usual channels of public consultation normally required of public work. It was considered by the Town Planning Board and was exhibited for public inspection in 2002. The Antiquities Advisory Board was briefed in 2002, and the Central and Western District Council on two occasions, the latest one in March 2002.[14] The government reported that it received no objections through all of these consultation exercises. However, in December 2006 protests gathered steam as the date of the demolition drew closer. Protestors began to camp out at the pier just days before the demolition was to take place; a few even started a hunger strike. They stayed to protect the pier until the very last moment, when a dozen of them had to be removed by the police as workers started to dismantle the clock tower.

The Star Ferry protests aptly illustrate the changing perception of how civil society defines its role and function. The protestors were, on the whole, not happy with the way the government arrived at its initial decision to dismantle the pier and its subsequent resolution to continue the demolition in the face of loud opposition. Public consultation did take place; however, the manner in which it was carried out was unacceptable to civil society actors. It was revealed that public consultation on the demolition of the pier was buried in the bigger Central reclamation plan and was not discussed separately. Those who were alert enough to notice the demolition plan and cared enough to attend the meetings of the Antiquities Advisory Board were barred by its chairperson from speaking in opposition (*Ming Pao*, 2 February 2007). Moreover, the Environment Protection Department conveniently neglected to post on its website a report that contained views at odds with the government's preferences. Technical problems were blamed for the missing hyperlink.[15] Secretary for Housing, Planning, and Lands, Michael Suen, claimed that the government had not received any opposition views since public consultation of the project began in 1999 (Asprey and Lau 2006). This appears in complete contradiction to the facts, for groups such as the Conservancy Association had not only voiced opposition, but

had suggested an alternative road network in the Central reclamation area so that the pier could be preserved.[16] SEE Network, a group concerned about sustainable development, had written to Chief Executive Donald Tsang about the cultural value of the pier on 21 August 2006 in an effort to save the pier.[17] There had also been active discussion on In-media, a website that provides public space for intellectuals, students and activists, among others, to tell their Hong Kong stories.[18] The government neglected one very important fact — that most of their consultations were conducted before 2003. As we have shown, civil society in Hong Kong experienced tremendous growth around 2003 and consultations conducted prior to 2003 could not have factored in the changing sentiments of the burgeoning civil society.

A few activists have lucidly articulated their views, which consistently and unambiguously have pointed to the desire on the part of civil society to be meaningfully involved in defining its own "space" and to have a say in developing the city which it calls home. The "borrowed time, borrowed space" attitude that characterised the inhabitants of Hong Kong during the postwar years has given way to a sense of local identity and the assertion that citizens have a right to participate in the development of the city. This view gained currency particularly after the 1 July 2003 rally. As Chan King-fai (2007a), a member of In-media and an activist in the movement to save the Star Ferry Pier, has written:

> In the ten years since reunification, Hong Kong has witnessed the birth of several social movements: first, social movements that resulted spontaneously from the July 1 rally, including various independent media movements, and demands to open up the public airwaves. Furthermore, professionals have vociferously opposed the government in recent years. There was also the Civic Party, which fielded a candidate in the chief executive election. All these exemplified society's resolve to take responsibility and assert self-determination, stating once again that this is "our time, our space" . . . [A] deep sense of history and space that is rooted in our experience of living in this locale has gradually formed".[19]

Over and over again the activists were saying that "this is our Central", and because that space was society's Central, and not just the government's or real estate developers' Central, it was wrong to leave civil society out of the process of planning major developments (Yip 2007). Destroying the Star Ferry Pier amounted to obliterating an important piece of the collective memory of many Hongkongers, and to eradicating a place often remembered as the symbolic birthplace of modern social activism when a lone striker protested the rise in the fare for the ferry in 1966. The strike was a prelude to bloody social unrest the following year. Subsequently, the

colonial government had to review its social policy in an attempt to improve its relationship with the citizenry. The strike also served as an example to individuals who seek to eliminate social injustice, and individuals began to fight actively to right social wrongs. The Star Ferry Pier may not have fulfilled the requirements of an historic building, for it was only 49 years old, a year short of the definition, but its historical significance went far beyond what its age implied. For those who are socially aware, the Star Ferry Pier was widely regarded as a cradle of Hong Kong consciousness (Law 2006). For the rest of society, the pier was simply a part of their lives. To have it brutally taken away in the midst of a protest fueled the determination of civil society actors to demand an active role in future city planning and development.

Reflecting on the three major movements that had to do with the definition of public space — the demolition of the Star Ferry Pier, the redevelopment of Lei Tung Street, and the protection of Victoria Harbour — one activist came to the conclusion that a local identity that is rooted in history, culture and collective experience has been formed. Compared to urban redevelopment projects in the 1970s, in which the amount of compensation and the area of relocation were the central concerns of those affected, a more elusive sense of neighbourhood, space and history have now entered into the formula, and this is evident in all three public space movements that took place after political reunification. The discourse of "defending" an important part of the city, be it the Star Ferry Pier, Lei Tung Street or Victoria Harbour, illustrates the changing attitudes of civil society. It is respect for the local community, and not merely monetary compensation or future development, that people nowadays seek.[20] To ensure that local communities are not lost in city development, which is often handed down by a government dominated by a growth mindset, civil society actors want to seize the right to participate in the planning of their public space (Chan 2006).

Since the colonial era, civil society actors have constituted part of the policy-making process, usually in a capacity as government-appointed advisory group members. Even some who were not members could convey their views in writing. What distinguishes civil society actors in the three public space movements is the depth of participation that they have demanded. Being consulted by the government is no longer enough; they want to be actively involved in the entire process. The activists in the Star Ferry protests doubted the logic of a top-down approach to city planning and challenged the government to open up the process to the public (Leung 2006). In a conversation between So Sau-chung, the lone striker who started the 1966 Star Ferry fee increase protest, and two activists in the Star Ferry movement, Chan King-fai and Ho Loy, the idea of active participation beyond consultation in policy-making was reiterated by Chan and Ho. Ho said that it was not the intention of the protestors to raise demands and

leave the government to find a solution on its own. They wished a solution to emerge from their interaction with the government (*Ming Pao*, 5 April 2007). Contrary to the perceptions of the government, the protestors saw their actions as constructive. In a broader sense, they were not fighting against the government; rather, they were posing a more profound question as to the role the public should play in the policy process and the adequacy of the present system.

A stronger sense of a Hong Kong identity, together with a notion that citizens have a right to participate in deciding the use of public space, appears to have led the Star Ferry protestors to demand meaningful involvement in policy-making. Furthermore, the Star Ferry saga has demonstrated, at least for the second time — the first being the 1 July rally in 2003 — a new dimension in the mobilisation style of civil society (Choy 2006). Modern technology, especially the internet and mobile phone, are essential. The internet has provided a forum where like-minded individuals can connect. While internet discussions became the basis for a group's action plan, the mobile phone and short messages have made possible fast mobilisation for action. The internet has opened up a huge space for public discussion unlimited by either time or space or even the people one knows. These cyber activities allow civil society to generate connectedness.

The Star Ferry Pier movement captures the changing civil society in a snapshot. By braving arrest and prosecution, the defenders of the Star Ferry Pier showed their commitment to challenging an unreasonable government decision. Their action deepened discussions of collective memories, history, heritage and the Hong Kong identity. They reaffirmed the emergence of the post-materialist values. They also posed more profound questions about the adequacy of the traditional consultative system of policy-making and the role of civil society in the policy process (Lui 2007).

A Flourishing Civil Society on All Fronts?

Our analysis of Hong Kong civil society suggests a burgeoning sector actively chasing partnership in governance, especially since 2003 and especially with respect to cases concerning environmental protection, city planning, history, culture and heritage. However, there is one important area that is obscurely quiet: welfare. There are at least three reasons why we find the relative silence of the welfare sector unfathomable. First, civil society organisations play a major part in the provision of social services. Second, Hong Kong experienced a prolonged period of economic recession between 1998 and 2003, during which unemployment rates soared, hitting a record high of 7.9 percent in 2003. Third, the Gini index of inequality has been on the rise, indicating that the gap between the rich and the poor is getting bigger and bigger.[21] The social service sector has a long history of activity in Hong Kong, and therefore it is only reasonable to expect that

service civil society organisations would be active during the time when society was painfully suffering the worst economic hardship and uncertainty in recent times.

It may be unfair to accuse service civil society organisations of not putting poverty eradication on the agenda, for some of them have tried. The Hong Kong Social Security Society's study on poverty in 1997 had already sounded the alarm; the Hong Kong Council of Social Services[22] has regularly presented research papers and policy proposals to the government; and Oxfam's commissioned studies have recommended the institutionalisation of a minimum wage and maximum working hours. Unfortunately, the government has turned a deaf ear to most of their recommendations. In 2000, 23 social welfare and religious organisations joined to form an umbrella organisation, Livelihood Agenda 21, which has urged the government to establish a poverty eradication committee and to put relevant policies in place. As with the Oxfam recommendations, these suggestions were again not taken up by the government. In August 2003, representatives of 12 organisations under the Hong Kong Council of Social Services met with Chief Executive Tung Chee-hwa and reinterated the idea of forming a poverty eradication committee. Finally, in January 2005, Tung announced the establishment of the Commission on Poverty, whose membership includes government officials, experts, academics, and members of the business sector and civil society.

Despite the economic slump, rising inequality, and the increasing numbers of forlorn young people, dejected middle-agers, destitute elderly and indigent families, it took the government more than four years to arrive at the decision to set up the Commission on Poverty. Moreover, the timing of the meeting between the 12 organisations and Chief Executive Tung may have proven crucial in the decision to set up the Commission, for it took place in August 2003, a month after the massive 1 July demonstrations. Had Tung not been subject to intense public pressure, there still might be no Commission.

Unlike issues relating to the environment, urban planning, culture and heritage, advocacy on welfare matters has aroused less public interest and tended to be slighted by the government. It is possible that since the government is the major financer of most welfare organisations, they are not very likely to put much pressure on the government. It is also likely that in spite of the efforts of civil society organisations, the demands of these organisations have not resonated with the general public. In this sense, capitalist values still seem to have a strong hold in society. The endemic view remains that poverty is a result of individual fault and deficiency and has little to do with the economic structure. Recipients of assistance from the Comprehensive Social Security Assistance scheme are still looked down on and regarded as lazy by society. The proper role of the government, the public appears to feel, is to help the poor become self-reliant. For example,

one of the two ad hoc groups of the Commission on Poverty is the Ad Hoc Group on Social Entrepreneurial Training (*www.cop.gov.hk*), the aim of which is to promote social enterprises of a kind that relies on community initiatives and resources, rather than those of the government, to increase employment opportunities for the poor. Up to the present, welfare civil society organisations and actors have failed to ignite sustained discussion about the structural causes of poverty, the actions necessary to alleviate poverty, and the kind of collective efforts that society needs to be willing to undertake to make Hong Kong a fairer place.

Financial dependence on the government and the prevalence of capitalist values imply that welfare civil society organisations in Hong Kong are fighting an uphill battle in their campaign to reduce poverty. Their efforts are not in any way made easier by a changing ideological tide since the late 1980s in leading Western countries from the old welfare state to a neo-liberal conception of a minimum state and strong market. Margaret Thatcher and Ronald Reagan spearheaded the ideological change. Since then, the UK and US governments have continued to emphasise the vital role of the market in economic growth, even during pro-welfare administrations such as those of Tony Blair and Bill Clinton. Ironically, the reasons for the failure of Hong Kong welfare civil society organisations in advocacy are the same as those that explain the success of their counterparts concerning the environment, culture and heritage. Financially, most of the more successful organisations are entirely or partially independent of the government and so they enjoy a relatively high degree of autonomy from it. In addition, Hong Kong activists ride on the global movement in environmental protection and sustainability. Environmental values have become accepted by people from all walks of life. Unlike the activists in the welfare sector, who have to fight an uphill ideological battle, green groups have found much support from a worldwide ideological environment. In short, the relative independence of environmental and cultural groups facilitates their advocacy campaigns and increases their bargaining power with the government, and their ideological appeal attracts audiences and rallies public mobilisation.

Conclusion

Civil society in Hong Kong has gone through an important period of maturity in the ten years since the handover, and the year 2003 was a watershed. Around 2003, civil society assumed a separate identity, and from that point on it has been active in various respects on the policy-making scene. Examining the articulation of civil society reveals three discourses: civil society as a defender of its own autonomy, civil society as the third sector, and civil society as a partner in governance. As already noted, while the first and third discourses are popular among civil society actors, the second one is used more by the government. There is also a shift in the emphasis

— from the self-defense discourse surrounding opposition to the public security bill to the governance partnership discourse relating to an expanded agenda of civil society on environmental, history, culture and heritage issues. The expanded agenda signals a greater diversification of values. In addition to the monolithic capitalist value system, there are now some post-materialist values that stress a sense of belonging, self-expression, and quality of life.

Despite these exciting developments, there are still a number of concerns. The dependence of welfare civil society organisations on government funding appears to have affected their efforts and determination in advocating for poverty eradication in an increasingly unequal society. There are many other areas of concern, but the space limits any discussion of them here. Some of the major ones include the sustainability of civil society activities, the shortage of resources, the consequences of a lack of cooperation among civil society organisations, the implications of single-issue-based organisations, and the rise of cyber-based mobilisation.

All in all, Hong Kong civil society has come a long way in the first ten years of the HKSAR. From a relative non-entity, it has not only acquired a distinct identity, but is now actively seeking partnership in governance. Its pace of growth and maturity is exhilarating. As the government knows very well, civil society can be a great force in solving problems. How to tap this force and how to foster a meaningful tripartite relationship among civil society, the business sector and the government pose a challenge to all three parties concerned.

Notes

1. For a macro study of Hong Kong's civil society, including its structure, values, environment and impact, sees CIVICUS Civil Society Index for Hong Kong (Chua, et al 2006).
2. Figures were obtained from a WiseNews search, using the search terms "demonstration" (*shiwei*), "rally" (*youxing*), and "petition" (*qingyuan*). The search was performed on three newspapers: *Ming Pao*, a politically neutral newspaper; *Apple Daily*, Hong Kong's most popular newspaper; and *Wen Wei Po*, a paper sympathetic to the communist regime in China. A total of 1,734 incidents have been identified, and they were each put in one of the 15 categories as shown in Table 1. Demonstrations/rallies/petitions concerning national affairs, such as opposition to the Japanese government's interpretation of the Nanjing massacre, territorial disputes between the PRC and Japan, protests against high Japanese government officials paying official tribute at the Yakusuni Shrine, commemorations of the 1989 Chinese student movement, etc were not included in Table 1 because these activities did not target the HKSAR government.
3. Data from Figure 1 were obtained from a WiseNews search on the term "civil society" (*Gongmin Shehui*) in between 1998 and 2006.
4. Lui and Chan (2001) gave an historical account of the development of Hong Kong's civil society using the first two discourses, ie. civil society acting in self-defense and civil society as the third sector.

5. There are a number of definitions of the third sector. Voluntary participation and non-profit distributing are two characteristics shared by various definitions: Salamon & Anheier (1997), Frumkin (2002).
6. Principle 10 of the Rio Declaration: *http://www.unep.org/Documents.Multilingual/Default.asp?DocumentID=78&ArticleID=1163*
7. For example, after the summit some core members of the delegation decided to set up the Hong Kong People's Council for Sustainable Development, which advocates a participatory process in the development of sustainable strategies: *http://www.susdevhk.org*
8. Chan is a member of the CSO Citizen Envisioning @ Harbour and was appointed to the government advisory committee — the Harbour-front Enhancement Committee.
9. Lai is a co-opted member of the Strategy Sub-committee of the Council for Sustainable Development. The Council advises the government on sustainable development strategies and priority areas. The Strategy Sub-committee formulated a stakeholder and community consultation programme, which aims to include the larger community in arriving at sustainable strategies acceptable to the community.
10. Loh was a legislator before 1997. It was Loh who proposed the Protection of the Harbour Bill, which laid the ground for the lawsuit launched by the Society for the Protection of the Harbour against the government and set off the Victoria Harbour protection movement.
11. According to one scholar, the Hunghom Peninsula case can be interpreted as civil society's reaction to the government's usual propensity to look after commercial interests at the expense of civil society: Chung (2004).
12. CE@H was formed in October 2003: *http://www.arch.cuhk.edu.hk/serverb/resch/livearch/projects-CitizenHarbour.html*
13. HEC was formed in April 2004: *http://www.harbourfront.org.hk*
14. Legislative Council Panel on Planning, Lands and Works, "Reprovisioning of Star Ferry Pier in Central": *www.legco.gov.hk/yr05-06/english/panels/plw/papers/plw0920cb/-2208-2e.pdf*
15. A 2001 study that formed part of the environmental impact assessment of the Central reclamation area argued that the Star Ferry Pier was worth preserving on the basis of its heritage value: Lau (2006).
16. See the document "Preservation of Star Pier and Queen's Pier" published by the Conservancy Association on 18 September 2006: *http://www.conservancy.org.hk/heritage/habor/legco20060919E.htm*
17. Copies of the letter had been sent to relevant government departments, including the Department for Housing, Planning, and Lands, as well as the Antiquities Advisory Board: *http://www.project-see.net/*
18. A few members of In-media were very active in actions to protect the Star Ferry Pier: *http://www.inmediahk.net*
19. Written in Chinese, authors' translation.
20. Chan (2007b) argues that the three movements show that people's attitudes have changed from demanding compensation to "defending" their city. The idea of "defending" presupposes that there are things that can never be made up for if lost; it is closely tied to a sense of local identity.
21. The Gini index was 43.4 in 1996: *http://hdr.undp.org/reports/global/2003/indicator/cty_f_HKG.html* In 2001, it had risen to 52.3: *https://www.cia.gov/library/publications/the-world-factbook/geos/hk.html#Econ*

22. The Hong Kong Council of Social Service makes policy recommendations to the chief executive in the form of annual submissions: *http://www.hkcss.org.hk/download/views/index.asp?offset=-1*

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